



# DELTA STEWARDSHIP COUNCIL

COMMITTED TO ACHIEVING THE COEQUAL GOALS

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## DSC CHAIR MEETS WITH LA TIMES EDITORIAL BOARD

### Chair Isenberg engages LA Times in above-board discussion

As part of a continual pledge to be transparent in the development and implementation of the Delta Plan, Delta Stewardship Council Chair Phil Isenberg met recently with the editorial board of the Los Angeles Times to discuss the current state of the staff draft Delta Plan and why it's such an important component of the Delta Reform Act.

"(That) 2009 water package is a 'framework' for making the tough decisions. It wasn't making the tough decisions itself," Isenberg told Robert Greene, lead editorial writer at the Times. "The Council is inching in the right direction with the draft."

The two spoke for more than an hour, going through many of the proposed recommendations and policies set forth in the draft with Isenberg speaking directly to the heart of the problem – California's demand for water versus the finite supply. Isenberg explained what he says are three "imponderable puzzles" that confound the issue: unquantifiable water rights, unknown area of origin permits, and "paper water" contracts.

Isenberg also told Greene that Senate Bill 7x1 was part of a historic five bill water package presented by the Legislature in 2009, and that the legislation created the Delta Stewardship Council as an independent state agency with a

**"The Council is inching in the right direction with this draft."**

**Council Chair  
Phil Isenberg**

*See LA Times, Page 4*

## COUNCIL BRINGS DELTA PLAN INTO SHARPER FOCUS

### Latest draft reflects improvement in all areas to achieve coequal goals

During its June meetings the Delta Stewardship Council worked through the fourth staff draft of the Delta Plan, which features a refined list of 14 proposed regulatory policies and 59 proposed recommendations, the bulk of which cover water supply reliability, ecosystem restoration, and reducing risk to people, property and state interests in the Delta.

Any revisions will be incorporated into the fifth staff draft, which is scheduled to be released on August 2, 2011. The accompanying Environmental Impact Report will be released shortly thereafter.

In this latest staff draft, however, near-term actions that should occur in the Delta while studies such as the Bay Delta Conservation Plan are being completed, and while requests for additional information and policies by state, federal and local agencies are received, have been identified.

*See Plan, Page 4*



*Courtesy of the Department of Water Resources*

**WATER SUPPLY RELIABILITY DREW PARTICULAR ATTENTION DURING THE TWO-DAY JUNE COUNCIL MEETING. THE MOST RECENT STAFF DRAFT INCLUDES PROPOSED POLICIES FOCUSING ON STATEWIDE IMPLEMENTATION OF EXISTING WATER PLANNING AND CONSERVATION LAWS ALONG WITH EXPANSION OF RELIABILITY EFFORTS.**

## ENVIRONMENTAL IMPACT REPORT ALTERNATIVES RELEASED

### Seven options, including draft Delta Plan, to be considered

The Delta Stewardship Council convened a special meeting June 16 to discuss alternatives that will be reviewed in the Environmental Impact Report (EIR), as well as the newly minted fourth staff draft of the Delta Plan.

An EIR is a requirement of the California Environmental Quality Act (CEQA). The document lists various concepts that will mitigate an issue, in this case achieving the coequal goals for the Delta. Seven alternatives make up the Council's EIR, including the staff draft of the Delta Plan. The other six were offered by members of the public.

"This is a rare public process where you know your comments will be read, thought about, discussed, and often accepted," said Anson Moran of The Delta Wetlands Project.

The seven alternatives cover five issue areas in which the Delta Stewardship Council will either enact policy or make recommendations through the final Delta Plan. Those areas include water supply reliability, ecosystem restoration, water quality, flood risk and protecting the Delta as an evolving place.

*See Impact Report, Page 6*



*Courtesy of the Department of Water Resources*

THE NEW BDCP PROCESS WILL BE MORE OPEN AND TRANSPARENT - INCLUDING THE DEVELOPMENT OF ALTERNATIVES FOR WATER CONVEYANCE IN THE DELTA, ACCORDING TO REPRESENTATIVES FROM THE NATURAL RESOURCES AGENCY AND THE CONTRA COSTA WATER DISTRICT.

## MEMBER SPOTLIGHT

### Marcus Brings Long, Varied Career to Delta Debate

The resume of Delta Stewardship Council Member Felicia Marcus reads like a novel, with mentions of Hong Kong, Washington, New York and Los Angeles; stints as a community organizer and a law clerk, an environmentalist and a bureaucrat; and a list of roles, awards and publications that spans more than a page.



*Photo courtesy of the Delta Stewardship Council*

**Felicia Marcus**

*Delta Stewardship Council member*

It may be an understatement when Marcus, who was appointed to the Delta Stewardship Council in 2010 by then-California Gov. Arnold Schwarzenegger, says, "I have worn a lot of hats."

"I know what it feels like to be in these various different roles," she said. "I think that shapes my perspective as a reasonable person."

In fact, Marcus said, the Delta Stewardship Council is entirely made up of members who take a reasoned, thoughtful, open-minded and honest approach to crafting the policy surrounding this vital estuary. Created by state law in 2009, the Council is charged with developing a Delta Plan, a comprehensive set of policies and regulations to guide future activities in the Delta, or anywhere in the state that either affects or benefits from the Delta. The Council's work is guided by the coequal goals set by statute: a restored Delta ecosystem and a reliable source of water for California, along with the recognition of the Delta as an evolving place.

"(The 2009 law) was – although modest by some measure in terms of the magnitude of the water crisis in California – acknowledged by many to be the biggest step forward in the water dialogue by elected officials and the various officials who focus on water issues in 20 years," Marcus said.

And she should know.

Marcus was active in the development of the legislation, and she has an extensive background as a private sector

*See Member Spotlight, Page 6*

## SCIENTIST CAUTIONS AGAINST WIDESPREAD DREDGING IN THE DELTA

According to one of the state's leading geologists, dredging every channel of the Sacramento-San Joaquin Delta is probably not the best idea, though there are some areas where it could be appropriate.

UC Davis Geology professor and Delta Independent Science Board member Dr. Jeff Mount explained his thinking to the Delta Stewardship Council during a recent meeting.

Dredging was not formally part of the agenda, but Council member Randy Fiorini took the opportunity to raise the issue with Mount.

Fiorini noted that the Council had received numerous public comments lauding the positive aspects of dredging; most notable were assertions that it could ensure water supply reliability and reduce the risk of flooding.

Mount agreed that there are benefits to dredging in certain areas of the Delta, namely improving and enlarging channels for ship transportation and higher flood flows.

"At local places in the Delta there are good, rational reasons to get in there and do some dredging," he said. "But dredging is not a cure-all."

Decreased water quality due to salt water intrusion, decreased turbidity (clearer water) resulting from sediment removal which would upset the ecosystem, and enormous costs were among reasons Mount listed to avoid dredging the entire estuary.

"As you enlarge the channels, particularly in the western Delta, you are opening up a larger volume of water to the tides," Mount said. "The last thing you want to see is the western Delta getting saltier."

**"At local places in the Delta there are good, rational reasons to get in there and do some dredging, but dredging is not a cure-all."**

**Dr. Jeff Mount**

*See **Dredging**, Page 7*

## STUDY SUGGESTS CONNECTION BETWEEN INVASIVE SPECIES AND CHANGING CLIMATE CONDITIONS

### Drought, decreased freshwater inflow among conditions listed

Aquatic zooplankton (pronounced zoh-ah-plank-ton) is a term you likely last heard in a high school science class. For aquatic scientists who study the ecosystem of the Delta, however, the tiny invertebrates are considered a critical part of the aquatic food chain.

Numerous studies have shown a strong relationship between fish survival and the production of their food supply. This makes zooplankton a true bellwether in determining the health of the Delta.

In fact, a recent research project focused on the Bay-Delta estuary, using extensive zooplankton records in the region, suggests there is a connection between significant changes in climate, water management, and the invasion of new plants and animals.

*See **Study**, Page 6*



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*Courtesy of the Department of Water Resources*

**A NEW STUDY OF THE DELTA ESTUARY SUGGESTS THERE IS A CONNECTION BETWEEN DRASTIC CHANGES IN CLIMATE AND THE INVASION OF NEW PLANTS AND ANIMALS BASED ON EXTENSIVE ZOOPLANKTON RECORDS IN THE REGION.**

## DELTA COUNCIL UNVEILS NEW WEBSITE

If you're reading this article, you've probably noticed the Delta Stewardship Council website looks a bit different. It recently underwent a full redesign in an effort to make it more inviting and easier to use. The new site is more intuitive and offers a fresh, user-friendly experience. Along with adding new functions, many basic improvements have been incorporated. The navigation has been simplified, the search function has been improved, and it's easier to find related stories.

### Some of the other new features include:

- Delta related stories on the home page
- Glossary of water-related terms
- News clips updated everyday
- Frequently Asked Questions (FAQ's)
- Additional resources

### And coming soon...

- An expanded library featuring a wealth of Delta related articles. Once complete, the page will host academic documents and papers relating to water issues in the Delta as well as various components of the Delta Plan.

The new site places an emphasis on easy access. The Council wants to ensure the appropriate information and resources are available to anyone who wishes to learn and become passionate about water issues in the Delta.

"The site is more than just a place to find the next meeting notice" said Eric Alvarez, public information officer for the Delta Stewardship Council. "It will eventually become a one-stop shop for everything dealing with information about the Delta."

The Council invites you to explore the new features of the website and to offer your suggestions and comments as the agency strives to improve the way it communicates with you. We invite you to visit [HERE](http://deltacouncil.ca.gov) if you have a question or wish to subscribe to the Council newsletter.

### *LA Times, Continued from Page 1*

mandate to develop a legally defensible Delta Plan by Jan. 1, 2012.

"I think the legislature has done three significant things (with that law)," Isenberg said. "They've adopted coequal goals. They said for the first time in statute the goal of the state is to decrease reliance on the Delta for future water use. And they don't insist that our Plan come back for legislative approval. It goes into effect right away."

Throughout the conversation, Isenberg elaborated on various components of the draft, including covered actions, the funding mechanism, water supply reliability, setting Delta flows, improving habitat, and protecting the Delta as a place.

Greene said the editorial board's goal is to present this issue in the clearest way possible, namely how to once and for all get the Delta and California's water system on a sustainable path for the future. He did not, however, say when or if the paper would write an editorial on the subject.

Isenberg and other Council members will continue to meet with editorial boards from papers across the state in order to help educate readers about the Delta Plan process and progress of the Council.

### *Plan, Continued from Page 1*

Additionally, the staff draft seeks to promote statewide collaboration, provide incentives where possible, enforce key actions, and to ensure accountability among agencies and stakeholders once the Plan is implemented.

"We've been educating ourselves and defining the problems, and I believe we've done a good job," said Council Member Randy Fiorini. "Now we begin to deal with real policies and real recommendations."

"It's an ever-evolving plan," said Council Member Gloria Gray.

**"It's an ever-evolving plan. We can make changes as we go and input is important, but we don't have all the answers and not everyone gets what they want."**

**Council Member  
Gloria Gray**

*please visit our website*  
**deltacouncil.ca.gov**

*See Plan, Page 5*



## *Plan, Continued from Page 4*

“We can make changes as we go and input is important. But we don’t have all the answers and not everyone gets what they want.”

Water supply reliability drew particular attention during the two-day June meeting as this most recent staff draft includes proposed policies focusing on statewide implementation of existing water planning and conservation laws along with expansion of local and regional water supplies. These efforts would help prepare the state should a catastrophic interruption of Delta exports occur. They’re also designed to implement local and regional water supply projects, as well as rate structures, that would ultimately reduce reliance on the Delta.

The draft also includes proposed recommendations including improving groundwater management and supporting the timely conclusion of the Bay Delta Conservation Plan.

Council member Hank Nordhoff acknowledged the staff diligence in the construction of the draft, but says there are already state laws in place governing water supply planning, conservation and efficiency. He suggested the Plan should do more to emphasize the regulations already in place.

“We [the state] have got these great policies and recommendations, but they’re not being enforced,” Nordhoff said. “Let’s state the problem sooner in the Plan with more recommendations for the legislature.”

The latest proposed policies regarding ecosystem restoration seek to ensure that habitat projects are consistent with the state’s restoration strategy. They’re also designed so that other actions taken in the Delta do not preclude opportunities for future habitat restoration and floodplain expansion or increase stressors on the Delta. Proposed recommendations for ecosystem include development, implementation and enforcement of new, updated flow objectives for the Delta and implementation

of habitat restoration projects.

On the issue of flow requirements, Council member Felicia Marcus suggested to her colleagues that they should tackle the question in smart increments.

“Ecosystem (restoration) is not about big flows,” Marcus said. “It’s more about how you use flows.”

Delta Science Program Lead Scientist Cliff Dahm said all three of the key components—creating a more natural flow regime, improving habitat and reducing threats and stressors—should work together.

“We are advocating an integrated approach that tries not to do them one at a time,” he said.

The fourth staff draft also makes refinements to policies and recommendations reducing risks in the Delta. They relate to issues like preventing encroachment or diminishment of floodways, and requiring compliance with minimum standards for Delta levees.

Policies and recommendations in the staff draft also focus on prioritizing State investments in the Delta levees, as well as addressing emergency preparedness and response strategies. Guidance documents being prepared by other agencies, such as DWR and Cal EMA, will assist the Council in its efforts.

The protection of people and property lies at the heart of this section and the Council is concerned about a spike in population in high-risk floodprone areas.

“A goal is to minimize the number of people at risk,” said Council Chair Phil Isenberg. “There seems to be an unwillingness to address a possible population increase in threatened areas.”

The Council is expected to release the fifth of seven drafts of the Plan in late July.

For a complete view of the current draft, please click [HERE](#).

## SNAPSHOTS OF THE DELTA



***Impact Report, Continued from Page 2***

While every alternative addressed the coequal goals, each approached the five different issue areas with varying degrees of emphasis. For example, two alternatives offered an increased emphasis on water supply reliability. Another two had an increased emphasis on ecosystem restoration. And one alternative focused solely on ways to enhance the Delta community.

“It is a balance, because it’s a programmatic document (versus a project-level document),” said Project Director Gwen Buchholz. In other words, the Delta Plan will become a program of ideas instead of construction project. This makes it a fluid document requiring a balance from all who invest in the process.

It also means the Council has its work cut out for it. In order to evaluate all the reasonable alternatives, the Council must study a wide range of different options.

“We may end up choosing belts, suspenders and flying monkeys when we’re done,” Council member Felicia Marcus said facetiously. “We might do all of the above in order to have a safer path to the next 90 years.”

As the Council considered the alternatives, member Patrick Johnson offered thoughts on how the Plan should read regarding risk reduction for people in the Delta.

“We should say that reducing the risk of loss of life is a primary purpose (of the Plan),” he said. “But we should stop short of...saying that no more people should move to an area because there is a seismic risk. With that logic, if we tore down the Bay Bridge we wouldn’t rebuild it.”

When adopted, the Delta Plan will be a legally enforceable document that will guide state and local agencies to achieve the coequal goals of providing a more reliable water supply for California and protecting, restoring and enhancing the Delta ecosystem.

To view the conceptual draft of the EIR, click [HERE](#).  
To view the most recent staff draft of the Delta Plan, click [HERE](#).

**“This is a rare public process where you know your comments will be read, thought about, discussed and often accepted.”**

**Anson Moran of The Delta Wetlands Project (during public comment)**

***Member Spotlight, Continued from Page 2***

and public interest lawyer as well as a community organizer. She may be best known in her native Southern California for her work on behalf of the Santa Monica Bay, most notably as a founder and general counsel to Heal the Bay.

She also served as president of the Board of Public Works for the City of Los Angeles, appointed by then-Mayor Tom Bradley to manage the city’s Department of Public Works. She went on to a presidential appointment as Region 9 administrator of the US Environmental Protection Agency, an office that addresses environment-related issues in California, Arizona, Nevada, Hawaii, former trust territories in the Pacific and more than 140 federally recognized Indian tribes.

From there, she became vice president and chief operating officer for the Trust for Public Land, a national nonprofit dedicated to conserving land, with projects from inner city parks and playgrounds to farms and wilderness areas. She has been the Western director of the Natural Resources Defense Council since 2008.

“I hadn’t thought about being on the Stewardship Council, but I was happy to be drafted to serve because I’ve spent my whole career trying to bring common sense solutions that are necessary to solve problems while respecting all the various views of the various stakeholders involved,” Marcus said. “I’m a bridge builder and a results-oriented solution seeker. It was an opportunity to put myself where my mouth was.”

**“I am enjoying the fact that we are taking a reasoned and thoughtful look at the various components that make up the water puzzle in California...”**

**Council Member Felicia Marcus**

**SNAPSHOT OF THE DELTA**

*Courtesy of the Department of Water Resources*



# SNAPSHOTS OF THE DELTA



*Courtesy of the Department of Water Resources*



*Courtesy of the Department of Water Resources*

## *Dredging, Continued from Page 3*

Another risk inherent with additional dredging in the Delta is that sediment removed from one part of the system can taint the water in other parts of the system.

“There’s a reason it’s so difficult to get permits for dredging; there are serious water quality concerns. It’s not like you just pull the sediment out, hermetically-sealed, and put it on the land,” Mount said. “Right now, the only technique for dredging liberates all the loose sediment into the water. Do you wanna drink that?”

As for the claim that dredging would help reduce the risk of flooding by improving existing levees, Mount paused. “We’re never going to (permanently) fix the levees. We’re always going to be adapting...it’s hopelessly naïve to imagine there’s a fix for the levees. We’re going to be working on them for the rest of forever,” he said.

Dredging in the Sacramento Delta began in the 1800s as an inexpensive way for farmers and landowners to raise levees and build up Delta islands quickly. Dredging is used to deepen or maintain navigable waterways and channels that can get filled with sedimented sand, mud and debris over time.

## *Study, Continued from Page 6*

Monika Winder, a researcher at UC Davis, concludes that invasive species, or species that do not occur naturally in an area, tend to become established in extreme conditions in the Delta. These species can outcompete native species – which the Delta Plan and other efforts are attempting to protect – during times of drought and decreased flows.

Delta Stewardship Council Lead Scientist Cliff Dahm reported the findings of Winder’s study to the Council during June’s Council meeting. These findings have been published in the scientific journal *Ecology Letters*.

“The aquatic zooplankton have gone through significant invasions by non-native species over the last 30 years,” Dahm said. “Many of the species now that are in the system are not native to the system.”

Winder, a former CALFED Science Fellow and recent recipient of grant funding from the Delta Science Program, studied seven specific types of non-native zooplankton. Her results seem to indicate that each established itself during periods of high stress related to drought and intensified by water management.

“There certainly appears to be a synergy between drought and flow alteration in the establishment of non-native zooplankton species,” Dahm said.

As the Council seeks to balance the coequal goals of providing a more reliable water supply for California and protecting, restoring and enhancing the Delta ecosystem, it has and will continue to consider the best available science, like Winder’s research, to create the Delta Plan.

To view an abstract of Winder’s research, click [HERE](#). To view the most recent staff draft of the Delta Plan, click [HERE](#).